IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	
Tokio MIYASITA et al.	)	Group Art Unit: 2819
Serial No. 10/721,550	)	Examiner: John B. Nguyen
Filed: 5/22/2003	)	Confirmation No. 6273
For: DEMODULATING CIRCUIT AND OPTICAL RECEIVING CIRCUIT	)	Date: October 7, 2004

AMENDMENT

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 9, 2004, please amend the above identified application as follows.

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subject matter therein. Accordingly, it is respectfully submitted that further discussion with respect to the merits of the rejection of claims 1 and 3 is no longer believed to be warranted.

With reference now to paragraphs 6 and 7 of the Office Action, claim 17 has been rejected under 35 U.S.C. §103(e) as being unpatentable over Shigemasa et al. in view of U.S. Patent No. 6,496,549 B1 issued to Crawford. This rejection is likewise respectfully traversed in that the combination proposed by the Examiner fails to disclose or suggest that which is presently set forth by Applicants' claimed invention.

As can be seen from the foregoing amendments, dependent claim 17 has been amended in order to now depend from allowable independent claim 2, as amended. Accordingly, it is respectfully submitted that dependent claim 17 is now in proper condition for allowance and further discussion with respect to the rejection of claim 17 in view of the combination proposed by the Examiner is no longer believed to be warranted.

Therefore, in view of the foregoing it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 2 and 4-17 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,
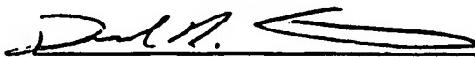
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NVA306503.1

TRANSMITTAL FORM
(to be used for all correspondence after initial filing)

Application Number	10/721,550
Filing Date	5/22/2003
First Named Inventor	Tokio MIYASITA et al.
Group Art Unit	2819
Examiner Name	John B. Nguyen

Total Number of Pages in This Submission		Attorney Docket Number	031948-000004

ENCLOSURES *(check all that apply)*

- [X] Fee Transmittal Form
- [ ] Fee Attached
- [X] Amendment / Reply
- [ ] After Final
- [ ] Affidavits/declaration(s)
- [X] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts/ Incomplete Application
  - [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53

- [ ] Assignment Papers *(for an Application)*
- [ ] Drawing(s)
- [ ] Declaration and Power of Attorney
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____

- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- [ ] Proprietary Information
- [ ] Status Letter
- [ ] Application Data Sheet
- [ ] Request for Corrected Filing Receipt with Enclosures
- [ ] A self-addressed prepaid postcard for acknowledging receipt
- [ ] Other Enclosure(s) *(please identify below)*:

Remarks

[X] The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Donald R. Studebaker, Reg. No. 32,815 Nixon Peabody LLP 401 9th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	October 7, 2004

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

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- [ ] transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.

October 7, 2004
Date
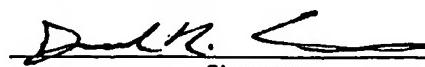
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Donald R. Studebaker
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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number

10721550

CLAIMS AS FILED – PART I

FOR	NUMBER FILED (Column 1)	NUMBER EXTRA (Column 2)	SMALL ENTITY RATE	SMALL ENTITY FEE	OR	OTHER THAN SMALL ENTITY RATE	OTHER THAN SMALL ENTITY FEE
BASIC FEE (37 CFR 1.16(a))				$____	OR		$____
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	•	X $____ =		OR	X $____ =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	•	X $____ =		OR	X $____ =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))			+ $____ =		OR	+ $____ =	
			TOTAL		OR	TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED – PART II

AMENDMENT A

	CLAIMS REMAINING AFTER AMENDMENT (Column 1)		HIGHEST NUMBER PREVIOUSLY PAID FOR (Column 2)	PRESENT EXTRA (Column 3)	SMALL ENTITY RATE	SMALL ENTITY ADDITIONAL FEE	OR	OTHER THAN SMALL ENTITY RATE	OTHER THAN SMALL ENTITY ADDITIONAL FEE
Total (37 CFR 1.16(c))	* 15	Minus	** 20	= —	X $____ =		OR	X $____ =	
Independent (37 CFR 1.16(b))	* 8	Minus	*** 3	= 5	X $____ =		OR	X $ 88 =	440
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+ $____ =		OR	+ $____ =	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	440

AMENDMENT B

	CLAIMS REMAINING AFTER AMENDMENT (Column 1)		HIGHEST NUMBER PREVIOUSLY PAID FOR (Column 2)	PRESENT EXTRA (Column 3)	SMALL ENTITY RATE	SMALL ENTITY ADDITIONAL FEE	OR	OTHER THAN SMALL ENTITY RATE	OTHER THAN SMALL ENTITY ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus	**	=	X $____ =		OR	X $____ =	
Independent (37 CFR 1.16(b))	*	Minus	***	=	X $____ =		OR	X $____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+ $____ =		OR	+ $____ =	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

AMENDMENT C

	CLAIMS REMAINING AFTER AMENDMENT (Column 1)		HIGHEST NUMBER PREVIOUSLY PAID FOR (Column 2)	PRESENT EXTRA (Column 3)	SMALL ENTITY RATE	SMALL ENTITY ADDITIONAL FEE	OR	OTHER THAN SMALL ENTITY RATE	OTHER THAN SMALL ENTITY ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus	**	=	X $____ =		OR	X $____ =	
Independent (37 CFR 1.16(b))	*	Minus	***	=	X $____ =		OR	X $____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+ $____ =		OR	+ $____ =	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.